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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,875	03/26/2004	Sandeep Relan	15488US01	9842
23446	7590	02/09/2007	EXAMINER	
MCANDREWS HELD & MALLOY, LTD			SAMS, MATTHEW C	
500 WEST MADISON STREET			ART UNIT	PAPER NUMBER
SUITE 3400			2617	
CHICAGO, IL 60661				

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/810,875	RELAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Matthew C. Sams	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 18 December 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 30,31 and 33-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 30,31 and 33-36 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 26 March 2004 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/18/2006 has been entered.

### ***Drawings***

2. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the drawing are hand drawn. Applicant is advised to employ the services of a competent patent draftsperson outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. **The corrected drawings are required in reply to the Office action to avoid abandonment of the application.** The requirement for corrected drawings will not be held in abeyance.

### ***Claim Objections***

3. Claim 33 is objected to because of the following informalities: claim 33 is dependent upon cancelled claim 32. Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 30, 31 and 34-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Husain et al. (US-6,978,380 hereafter, Husain) in view of Kushwaha et al. (US 2002/0112047 hereinafter, Kushwaha).

Regarding claim 30, Husain teaches a method of secure application and authorization of an account (Col. 5 lines 3-32) including having a mobile terminal (Fig. 2 [20]) comprising an output for transmitting an application for credit over a first network (Col. 5 lines 3-13 & 33-51) and an input for receiving account information associated with the application for credit over a second network. (Col. 6 lines 40-67) Husain teaches the use of wireless devices including PDAs and cellular phones, but differs from the claimed invention by not explicitly reciting the second network comprises a GGSN.

In an analogous art, Kushwaha teaches a system and method for wireless data terminal management using general packet radio service network that is used for time critical applications including credit card authorization (Page 3 [0035]), wherein the network includes a GGSN. (Page 4 [0043-0044]) At the time the invention was made, it would have been obvious to one of ordinary skill in the art to implement the invention of Husain after modifying it to incorporate the GGSN of Kushwaha. One of ordinary skill in

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the art would have been motivated to do this since a GGSN is required backend equipment for providing General Packet Radio Service within a GSM network.

Regarding claim 31, Husain in view of Kushwaha teaches the first network comprises a packet network. (Husain Col. 5 lines 33-51 and Col. 6 lines 40-67)

Regarding claim 34, Husain in view of Kushwaha teaches the application is transmitted during a session over the first network and wherein the account information is transmitted during a session over the second network (Husain Col. 5 lines 33-51 and Col. 6 lines 40-67), and wherein the session over the first network is initiated by the mobile terminal and wherein the session over the second network is initiated by a node sending the account information associated with the application for credit to the mobile terminal. (Husain Col. 5 lines 33-51 and Col. 6 lines 40-67)

Regarding claims 35 and 36, Husain in view of Kushwaha teaches the use of a first and second network for establishing a credit application (Husain Col. 5 lines 33-51 and Col. 6 lines 40-67), but differs from the claimed invention by not explicitly reciting the first network session is terminated (prior to) or (after) the establishment of the session with a second network. However, it would have been obvious to one of ordinary skill in the art to be motivated to terminate a first network session (prior to) or (after) the establishment of the session with a second network as a security precaution. (Husain Col. 6 lines 40-67)

6. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Husain in view of Kushwaha as applied to claim 30 above, and further in view of Chetty (US 2002/0052193).

Regarding claim 33, Husain in view of Kushwaha teaches the limitations of claim 30 & 31 above, but differs from the claimed invention by not explicitly reciting the mobile terminal is operable to detect a command preceding the audio signal and operable to record the account information after detecting the command.

In an analogous art, Chetty teaches a mobile terminal is operable to detect a command preceding the audio signal and operable to record the account information after detecting the command. (Page 5 [0066] through Page 7 [0071] and Fig. 3 [240 & 250]) At the time the invention was made, it would have been obvious to one of ordinary skill in the art to implement the invention of Husain in view of Kushwaha after modifying it to incorporate the ability to save information when prompted of Chetty. One of ordinary skill in the art would have been motivated to do this since it enables a central server to update remote devices in the field.

#### ***Response to Arguments***

7. Applicant's arguments with respect to claim 30 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew C. Sams whose telephone number is (571)272-8099. The examiner can normally be reached on M-F 7:30-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571)272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MCS  
1/31/2007



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